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Image



Patent
Attorney's Docket No. 029777-008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	Mail Stop ISSUE FEE
Friederich, Heinrich et. al.)	Group Art Unit: 1742
Application No.: 10/049,880)	Examiner: Deborah Yee
Filed: June 26, 2002)	Confirmation No.: 6272
For: Semifinished and Finished Products)	
Made of Austenitic Special Steel and)	
Method for the Production Thereof)	

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully submit the following comments in response to the paper mailed March 5, 2004.

First, the Notice of Allowance dated March 5, 2004, is captioned "Corrected Notice of Allowance and Fee(s) Due". In a telephone conference with Examiner Yee on March 30, 2004, the captioning of this paper was discussed. From that conversation, it appears that the inclusion of the term "Corrected" is erroneous. No prior Notice of Allowance or other Official Action from the Patent Office in the above-referenced application appears in the record. Accordingly, it is the understanding of the Applicants and their representative that the inclusion of the term "Corrected" has no bearing in this application. If upon further inquiry, the Examiner determines that the caption "Corrected" is accurate, a paper explaining the reasons for the use of such caption is respectfully requested.

Second, the Information Disclosure Statement filed on June 26, 2002, was indicated by the Examiner to not be in compliance with 37 C.F.R. §1.98(a)(3) for failure to include a concise explanation of the relevance. Applicants request reconsideration of these references.

This application is a §371 application based on PCT Application. PCT/DE00/02800. A formalities letter dated April 26, 2002 indicates that the International Search Report and the references cited therein were forwarded and received by the U.S. Patent and Trademark Office. The referenced International Search Report includes relevancy codes for the references not yet considered by the Examiner. In accordance with M.P.E.P. §609 A(3), the inclusion of relevancy codes from the International Search Report satisfies the relevancy statement requirement of 37 C.F.R. §1.98. Therefore, the Information Disclosure Statement filed on June 26, 2002, was fully compliant and all references therein should be considered. Consideration and acknowledgement of the same is respectfully requested by the return of an Examiner-initialed Form PTO-1449. For the convenience of the Examiner, a copy of the PTO-1449 and a copy of the International Search Report are enclosed.

Third, no PTOL-85 (Part B – Fee(s) Transmittal) for payment of the Issue Fee was included in the last communication. To facilitate payment, a new PTOL-85 or a copy is respectfully requested to be forwarded to the undersigned.

Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: April 1, 2004

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